

REMARKS

In the above-referenced Office Action, claims 1, 3, and 4 stand rejected as being anticipated under 35 U.S.C. 102, and claim 2 stands rejected as being obvious under 35 U.S.C. 103. In accordance with the foregoing, claims 1-4 have been amended and new claims 5 through 21 have been added. Applicant respectfully traverses the rejections and requests a withdrawal of all rejections as set forth below.

Claims 1-4 stand rejected as being anticipated by Nelson et al. (US 6,418,346, hereinafter "Nelson") and claim 3 stands rejected as being obvious over Nelson in view of Bornn et al. (US 5,348,008). Claim 1 is directed to an implantable medical device system including "a plurality of home appliances; and

at least one communication network providing a continuously available communication link between the external medical device and the plurality of home appliances for transferring data from the external medical device to a selected one of the plurality of home appliances;

wherein the transferred data comprise a service request corresponding to the selected one of the plurality of home appliances; and

a processor converting the service request to a protocol readable by an operating system of the selected one of the plurality of home appliances."

Nelson is directed to a system for transferring data into and out of medical devices wherein a personal data manager (PDM) is used in a web-based network. The PDM is used to carry data from a programmer to a printer, a PC, or a web-based expert data center. The data center is in bidirectional communication with a fax, cellular phone, printer, peripheral device and LAN or WAN (Col 13, lines 39-49). Nelson does not teach or suggest "at least one communication network providing a continuously available communication link between the external medical device and the plurality of home appliances for transferring data from the external medical device to a selected one of the plurality of home appliances;

wherein the transferred data comprises a service request corresponding to the selected one of the plurality of home appliances; and

a processor converting the service request to a protocol readable by an operating system of the selected one of the plurality of home appliances," as stated in the present claims. Bornn fails to remedy this deficiency. Accordingly, the Applicant submits that the rejection should be withdrawn.

Applicant respectfully asserts that the present claims are in condition for allowance and notice of the same is earnestly solicited. Should any issues remain outstanding, the Examiner is respectfully urged to telephone the undersigned to expedite prosecution.

Respectfully submitted,

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Date

/Daniel G. Chapik/

Daniel G. Chapik
Reg. No. 43,424
(763) 514-3066
Customer No. 27581